

## **Appendix 2**

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A-

**IC 3-5-5**

## Chapter 5. Standards for Determining Residency

**IC 3-5-5-1****Purpose of chapter**

Sec. 1. This chapter shall be used to determine the residency of the following:

- (1) A voter or a person applying to become a voter.
- (2) A candidate.
- (3) A person holding an elected office.

*As added by P.L.12-1995, SEC.10.*

**IC 3-5-5-2****Methods of establishing residency**

Sec. 2. A person's residence may be established by:

- (1) origin or birth;
- (2) intent and conduct taken to implement the intent; or
- (3) operation of law.

*As added by P.L.12-1995, SEC.10.*

**IC 3-5-5-3****Residence in more than one precinct**

Sec. 3. A person does not have residence in more than one (1) precinct.

*As added by P.L.12-1995, SEC.10.*

**IC 3-5-5-4****Abandonment of residence**

Sec. 4. A person who has a residence in a precinct retains residency in that precinct until the person abandons the residence by:

- (1) having the intent to abandon the residence;
- (2) having the intent to establish a new residence; and
- (3) acting as provided in this intent by establishing a residence in a new precinct.

*As added by P.L.12-1995, SEC.10.*

**IC 3-5-5-5****Absence due to state or federal business**

Sec. 5. As provided in Article 2, Section 4 of the Constitution of the State of Indiana, a person is not considered to have lost residence in a precinct in Indiana by reason of the person's absence on the business of:

- (1) the state of Indiana; or
- (2) the United States.

*As added by P.L.12-1995, SEC.10. Amended by P.L.3-1995, SEC.10.*

**IC 3-5-5-6****Rebuttable presumptions**

Sec. 6. Sections 7 through 17 of this chapter establish presumptions regarding the residency of a person in a precinct. A

person can rebut these presumptions by demonstrating intent to reside in another precinct and conduct taken to implement that intent.

*As added by P.L.12-1995, SEC.10.*

**IC 3-5-5-7****Temporary residency**

Sec. 7. A person does not gain residency in a precinct into which the person moves for:

- (1) temporary employment;
- (2) educational purposes; or
- (3) other purposes;

without the intent of making a permanent home in the precinct.

*As added by P.L.12-1995, SEC.10. Amended by P.L.3-1997, SEC.18; P.L.164-2006, SEC.5.*

**IC 3-5-5-8****Person moving with intent to make new residence**

Sec. 8. If a person moves into another state with the intention of making that state the person's residence, the person loses residency in Indiana.

*As added by P.L.12-1995, SEC.10.*

**IC 3-5-5-9****Person moving with intent to remain for indefinite time**

Sec. 9. If a person moves to another state with the intention of remaining in the other state for an indefinite time as a place of residence, the person loses residency in Indiana, even if the person intends to return at some time.

*As added by P.L.12-1995, SEC.10.*

**IC 3-5-5-10****Change in precinct of residence**

Sec. 10. If a person moves into another precinct in Indiana with the intention of making that precinct the person's residence, the person loses residency in the precinct that the person left.

*As added by P.L.12-1995, SEC.10.*

**IC 3-5-5-11****Location of immediate family as residence**

Sec. 11. The place where a person's immediate family resides is the person's residence, unless the family's residence is:

- (1) a temporary location for the person's immediate family; or
- (2) for transient purposes.

*As added by P.L.12-1995, SEC.10.*

**IC 3-5-5-12****Living away from family while conducting business**

Sec. 12. Except as provided in section 13 of this chapter, if:

- (1) a person's immediate family resides in one (1) place; and
- (2) the person does business in another place;

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the residence of the immediate family is the person's residence.

*As added by P.L.12-1995, SEC.10.*

**IC 3-5-5-13****Living away from family with intent to remain away**

Sec. 13. If a person:

- (1) is living at a place other than the residence of the person's immediate family; and
- (2) has the intention of remaining at that place;

the place where the person lives is the person's residence.

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*As added by P.L.12-1995, SEC.10.*

**IC 3-5-5-14**

**Establishment of voting residence separate from spouse**

Sec. 14. A married person who does not live in a household with the person's spouse may establish a separate residence from the residence of the person's spouse.

*As added by P.L.12-1995, SEC.10.*

**IC 3-5-5-15**

**Unmarried persons**

Sec. 15. The residence of a person who:

(1) is unmarried; and

(2) does not have an immediate family;

is where the person usually sleeps.

*As added by P.L.12-1995, SEC.10.*

**IC 3-5-5-16**

**Residents of veterans home**

Sec. 16. A person who resides in a veterans home is a resident of the precinct in which the home is located.

*As added by P.L.12-1995, SEC.10.*

**IC 3-5-5-17**

**Persons committed to mental health institutions**

Sec. 17. A person who is:

(1) adjudged mentally ill; and

(2) committed to an institution for individuals with a mental illness;

does not gain residency in the precinct in which the institution is located.

*As added by P.L.12-1995, SEC.10. Amended by P.L.99-2007, SEC.4.*

**IC 3-5-5-18**

**Nontraditional residence**

Sec. 18. Notwithstanding IC 3-5-2-42.5, an individual with a nontraditional residence whose residence is within a precinct, but is not fixed or permanent, resides in that precinct.

*As added by P.L.12-1995, SEC.10.*

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**IC 3-6-4.1-19**

**Subpoena power**

Sec. 19. (a) The commission has the power of subpoena and may require a person to appear before the commission, a member of the commission, or the co-directors to be examined with regard to any matter with which the commission or the co-directors are charged with a duty under this title.

(b) The commission or the co-directors may require appearances at the office of the commission or at a place fixed by the commission or co-directors in the county of residence of the person subpoenaed.

(c) A witness who is subpoenaed under this section is entitled to be paid the same mileage and fee as witnesses in court actions. Mileage and fees shall be paid as other election expenses are paid.

*As added by P.L. 8-1995, SEC. 18.*

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**IC 3-6-5-27**

**Subpoena power**

Sec. 27. A county election board may subpoena persons and papers and compel the witnesses to answer under oath any questions that properly come before the board.

*As added by P.L.5-1986, SEC.2.*

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**IC 3-7-13-10**

**Term of registration period; special election**

Sec. 10. (a) The registration period begins December 1 of each year (or the first Monday in December if December 1 falls on a Saturday or Sunday).

(b) The registration period continues through the twenty-ninth day before the date a primary election is scheduled under this title.

(c) The registration period resumes fourteen (14) days after primary election day and continues through the twenty-ninth day before the date a general or municipal election is scheduled under this article.

(d) This subsection applies in each precinct in which a special election is to be conducted. The registration period ceases in that precinct on the twenty-ninth day before a special election is conducted and resumes fourteen (14) days after the special election occurs.

*As added by P.L. 12-1995, SEC. 22.*

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**IC 3-7-16-24**

**Updating voter registration record**

Sec. 24. A signed application under section 11 of this chapter authorizes a circuit court clerk or board of registration to update the voter registration record of the applicant.

*As added by P.L.12-1995, SEC.25.*



**IC 3-7-18-9**

**Duties of employees if applicant registering to vote after twenty-ninth day before primary, general, municipal, or special election**

Sec. 9. If an individual is registering to vote after the twenty-ninth day before the date that a primary, general, municipal, or special election is scheduled in the precinct where the voter resides, the employee or volunteer of the office who provides an individual with an application for assistance or services under this chapter shall do the following:

- (1) Inform the individual that office registration will not permit the individual to vote in the next election.
- (2) Inform the individual of other procedures the individual may follow to vote in the next election.

*As added by P.L. 12-1995, SEC. 27.*

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**IC 3-8-1-1**

**Candidates must be registered voters**

Sec. 1. (a) This section does not apply to a candidate for any of the following offices:

- (1) Judge of a city court.
- (2) Judge of a town court.

(b) A person is not qualified to run for:

- (1) a state office;
- (2) a legislative office;
- (3) a local office; or
- (4) a school board office;

unless the person is registered to vote in the election district the person seeks to represent not later than the deadline for filing the declaration or petition of candidacy or certificate of nomination.

(c) If a candidate filing error is made by the election division or a circuit court clerk, the error does not invalidate the filing.

*As added by P.L. 5-1986, SEC. 4. Amended by P.L. 3-1987, SEC. 80; P.L. 4-1991, SEC. 31; P.L. 12-1992, SEC. 2; P.L. 3-1997, SEC. 110; P.L. 254-1999, SEC. 1.*

**IC 3-10-10**

## Chapter 10. Special Procedures for Presidential Elections

**IC 3-10-10-1****Purpose of chapter**

Sec. 1. This chapter is enacted to implement 42 U.S.C. 1973aa concerning voting for President and Vice President of the United States.

*As added by P.L. 12-1995, SEC. 68.*

**IC 3-10-10-2****Applicability of chapter**

Sec. 2. Notwithstanding other provisions in IC 3-7 concerning residency requirements for voting, special procedures apply for voting in presidential elections. The presidential voting procedures in this chapter apply only to a general election at which electors for President and Vice President of the United States are voted upon.

*As added by P.L. 12-1995, SEC. 68.*

**IC 3-10-10-3****Conditions for applicability of voting procedures**

Sec. 3. The presidential voting procedures in this chapter apply to a person who satisfies all of the following conditions:

- (1) The person resided in a precinct in Indiana.
- (2) The person lost residency in Indiana within the thirty (30) days immediately before the general election.
- (3) The person was a qualified and registered voter while a resident of that precinct.
- (4) The person is otherwise legally qualified to vote.
- (5) The person does not meet the residency requirements of the state, precinct, or political subdivision in which the person resides.

*As added by P.L. 12-1995, SEC. 68.*

**IC 3-10-10-4****Affidavit; execution**

Sec. 4. (a) The affidavit required under this chapter for voting in presidential elections may be executed only:

- (1) at the office of the circuit court clerk or board of registration before the day of the general election;
- (2) before the precinct election board of the precinct where the person formerly resided, if the affidavit is executed on the day of the general election; or
- (3) when the application for an absentee ballot is filed.

(b) In years in which a presidential election is conducted, at least one (1) copy of the affidavit must be included in the material provided for the inspector of each precinct.

*As added by P.L. 12-1995, SEC. 68.*

**IC 3-10-10-5****Affidavit; copy to voter**

Sec. 5. The circuit court clerk or board of registration shall mail a copy of the affidavit to any voter who requests a copy not later than five (5) days before election day. If the voter returns the affidavit to the office of the clerk or board before the day of the general election, the affidavit shall be processed as if the affidavit had been executed in the office.

*As added by P.L. 12-1995, SEC. 68.*

**IC 3-10-10-6****Affidavits, forms, and records to be marked for presidential election only**

Sec. 6. All affidavits, forms, and records of voter registration must be clearly marked to indicate that, in this general election, the voter may only vote for electors for President and Vice President of the United States.

*As added by P.L. 12-1995, SEC. 68.*

**IC 3-10-10-7****Affidavit; required information**

Sec. 7. The affidavits for presidential voting under this chapter must contain the following information:

- (1) The person's last, first, and middle name, in that order.
- (2) The person's assigned identification number.
- (3) The person's birthplace and date of birth.
- (4) Whether the person is a citizen of the United States.
- (5) The person's present residence address.
- (6) The address of the person's previous residence in Indiana, including the county.
- (7) The person's statement that the person satisfies the conditions set forth in section 3 of this chapter.

*As added by P.L. 12-1995, SEC. 68.*

**IC 3-10-10-8****Affidavit; form**

Sec. 8. The commission shall prescribe the form of the affidavit required by this chapter.

*As added by P.L. 12-1995, SEC. 68. Amended by P.L. 2-1996, SEC. 124.*

**IC 3-10-10-9****Voter executing affidavit challenged as ineligible; provisional ballot; sufficiency of affidavit**

Sec. 9. If a voter executes an affidavit under this chapter and is then challenged under IC 3-11-8 as ineligible to vote in the precinct, the voter shall be provided with a provisional ballot under IC 3-11.7 rather than a regular official ballot. The affidavit executed under this chapter serves as a sufficient affidavit for the voter to receive a provisional ballot under IC 3-11.7.

*As added by P.L. 164-2006, SEC. 77.*

**IC 3-10-11**

Chapter 11. Special Procedures for Certain Indiana Voters to Vote in Precinct of Former Residence

**IC 3-10-11-1****Applicability of chapter**

Sec. 1. This chapter:

- (1) applies to a general, municipal, primary, school district, and special election; and
- (2) is enacted to implement Article 2, Section 2(c) of the Constitution of the State of Indiana.

*As added by P.L.12-1995, SEC.69. Amended by P.L.176-1999, SEC.63.*

**IC 3-10-11-2****Conditions for applicability of voting procedures**

Sec. 2. This chapter applies to a person who satisfies all of the following conditions:

- (1) The person resided in a precinct in Indiana.
- (2) The person currently resides in Indiana.
- (3) The person lost residency in the precinct of the person's former residence not more than thirty (30) days immediately before the election.
- (4) The person was a qualified and registered voter of the precinct of the person's former residence.
- (5) The person is otherwise legally qualified to vote.
- (6) The person is not registered in the precinct of the person's present residence.
- (7) The person requests a transfer of the person's registration.

*As added by P.L.12-1995, SEC.69.*

**IC 3-10-11-3****Precinct of person's former residence**

Sec. 3. As used in this chapter, "precinct of the person's former residence" refers to the precinct in which the person resided on the thirty-first day before the election.

*As added by P.L.12-1995, SEC.69.*

**IC 3-10-11-4****Affidavit; voting in precinct of former residence**

Sec. 4. (a) Notwithstanding other provisions of this title concerning residency requirements for voting, but subject to subsection (b), a person described in section 2 of this chapter may vote in the precinct of the person's former residence by executing an affidavit described in this chapter.

(b) A person who changes residence from a location outside a municipality to a location within a municipality within thirty (30) days before a municipal primary election, municipal election, or special election held only within the municipality may not vote in the election in the precinct of the person's former residence.

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*As added by P.L.12-1995, SEC.69.*

**IC 3-10-11-4.5****Voter executing affidavit challenged as ineligible; provisional ballot; sufficiency of affidavit**

Sec. 4.5. If a voter executes an affidavit under this chapter and is then challenged under IC 3-10-1 or IC 3-11-8 as ineligible to vote in the precinct, the voter shall be provided with a provisional ballot under IC 3-11.7 rather than a regular official ballot. The affidavit executed under this chapter serves as a sufficient affidavit for the voter to receive a provisional ballot under IC 3-11.7.

*As added by P.L.164-2006, SEC.78.*

**IC 3-10-11-5****Affidavit; required information**

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Sec. 5. An affidavit executed under this chapter must contain the following information:

- (1) The person's last, first, and middle name, in that order.
- (2) The person's birthplace and date of birth.
- (3) Whether the person is a United States citizen.
- (4) The person's current address, including the county. If the person resides in a municipality, the address must include the street address, including apartment number or other designation, or the name and room number of the hotel or lodging house. If the person does not reside in a municipality, the address must include the mailing address and the street or road.
- (5) The address of the person's previous residence, including the county.
- (6) The person's statement that the person satisfies the conditions set forth in section 2 of this chapter.
- (7) The person's voter identification number to permit transfer of the registration under IC 3-7-13-13.

*As added by P.L. 12-1995, SEC. 69. Amended by P.L. 209-2003, SEC. 103; P.L. 164-2006, SEC. 79.*

### **IC 3-10-11-6**

#### **Affidavit; form**

Sec. 6. The commission shall prescribe the form of the affidavit required by this chapter that must permit the person to execute a request for transfer of the person's registration.

*As added by P.L. 12-1995, SEC. 69. Amended by P.L. 2-1996, SEC. 125.*

### **IC 3-10-11-7**

#### **Affidavit; methods of execution**

Sec. 7. The affidavit required by this chapter may be executed as follows:

- (1) At the office of the circuit court clerk or the board of registration for the county of the precinct of the person's former residence, not later than 4 p.m. on the day before the election.

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(2) Before the inspector of the precinct of the person's former residence, if the application and statement are executed on the day of the election.

(3) When the application for an absentee ballot is filed with the county election board of the county of the precinct of the person's former residence.

*As added by P.L. 12-1995, SEC. 69.*

### **IC 3-10-11-8**

#### **Affidavit; presentation required**

Sec. 8. If the person executes the affidavit under this chapter at the office of the circuit court clerk or board of registration before the day of the election, the clerk or board shall furnish a copy of the affidavit to the person. The person shall present the copy to the inspector of the precinct of the person's former residence when the person offers to vote in that precinct under IC 3-11-8.

*As added by P.L. 12-1995, SEC. 69.*

### **IC 3-10-11-9**

#### **Affidavit; attached to absentee ballot**

Sec. 9. If the person executes the affidavit under this chapter when filing an application for an absentee ballot, the county election board shall attach the original or a copy of the affidavit to the person's application for an absentee ballot before the application and ballot are delivered to the inspector of the precinct of the person's former residence.

*As added by P.L. 12-1995, SEC. 69.*

### **IC 3-10-11-10**

#### **Affidavit; execution in presence of inspector**

Sec. 10. If the person executes the affidavit under this chapter before the inspector of the precinct of the person's former residence on the day of the election, the inspector shall return the original affidavit to the circuit court clerk or board of registration after the closing of the polls.  
*As added by P.L. 12-1995, SEC. 69.*

D

**IC 3-10-12**

Chapter 12. Special Procedures for Certain Indiana Voters to Vote in Precinct of Former Residence Under NVRA

**IC 3-10-12-1****Purpose of chapter**

Sec. 1. This chapter:

(1) prescribes the procedure for certain voters to cast ballots under 42 U.S.C. 1973gg-6(e)(2) in a precinct where the voter formerly resided; and

(2) is enacted to implement Article 2, Section 2(c) of the Constitution of the State of Indiana.

*As added by P.L.12-1995, SEC.70. Amended by P.L.176-1999, SEC.64.*

**IC 3-10-12-2****Applicability of chapter**

Sec. 2. This chapter applies to a general, municipal, primary, school district, and special election.

*As added by P.L.12-1995, SEC.70.*

**IC 3-10-12-3****Repealed**

*(Repealed by P.L.230-2005, SEC.91.)*

**IC 3-10-12-3.4****Voter who changes residence voting in municipal election**

Sec. 3.4. (a) This section applies to a voter who:

(1) changes residence from a precinct in a county to another precinct:

(A) in the same county; and

(B) in the same congressional district;

as the former precinct; and

(2) does not notify the county voter registration office of the change of address before election day.

(b) A voter described by subsection (a) may:

(1) correct the voter registration record; and

(2) vote in the precinct where the voter formerly resided;

if the voter makes an oral affirmation as described in subsection (e) or a written affirmation as described in section 4 of this chapter of the voter's current residence address.

(c) A voter who moved outside of a municipality may not return to the precinct where the voter formerly resided to vote in a municipal election.

(d) A voter who moved from a location outside a municipality to a location within a municipality within thirty (30) days before a:

(1) municipal primary election;

(2) municipal election; or

(3) special election held only within the municipality;

may not vote in the election in the precinct of the person's former

residence.

(e) A voter entitled to make a written affirmation under subsection (b) may make an oral affirmation. The voter must make the oral affirmation before the poll clerks of the precinct. After the voter makes an oral affirmation under this subsection, the poll clerks shall:

(1) reduce the substance of the affirmation to writing at an appropriate location on the poll list; and

(2) initial the affirmation.

*As added by P.L.230-2005, SEC.47.*



**IC 3-10-12-3.5****Affirmation must include voter identification number**

Sec. 3.5. The written affirmation described in section 3.4 of this chapter must include the person's voter identification number to permit transfer of the registration under IC 3-7-13-13.

*As added by P.L. 209-2003, SEC.104. Amended by P.L. 230-2005, SEC.48; P.L. 164-2006, SEC.80.*

**IC 3-10-12-4****Execution of written affirmation**

Sec. 4. (a) The written affirmation described in section 3.4 of this chapter may be executed as follows:

(1) At the county voter registration office for the county of the precinct of the person's former residence, not later than 4 p.m. on the day before the election.

(2) Before the inspector of the precinct of the person's former residence, if the application and statement are executed on the day of the election.

(3) When the application for an absentee ballot is filed with the county election board of the county of the precinct of the person's former residence.

(b) If the person executes the affidavit under this section at the county voter registration office before the day of the election, the office shall furnish a copy of the affirmation to the person. The person shall present the copy to the inspector of the precinct of the person's former residence when the person offers to vote in that precinct under IC 3-11-8.

(c) If the person executes the affirmation under this section when filing an application for an absentee ballot, the county election board shall attach the original or a copy of the affirmation to the person's application for an absentee ballot before the application and ballot are delivered to the inspector of the precinct of the person's former residence.

(d) If the person executes the affirmation under this section before the inspector of the precinct of the person's former residence on the day of the election, the inspector shall return the original affirmation to the county election board. The county election board shall forward the affidavit to the county voter registration office after the closing of the polls.

*As added by P.L. 3-1995, SEC.93. Amended by P.L. 230-2005,*

*SEC.49.*

**IC 3-10-12-5****Voter making affirmation challenged as ineligible; provisional ballot; sufficiency of affidavit**

Sec. 5. If a voter makes an oral or a written affirmation under this chapter and is then challenged under IC 3-10-1 or IC 3-11-8 as ineligible to vote in the precinct, the voter shall be provided with a provisional ballot under IC 3-11.7 rather than a regular official ballot. The oral or written affirmation made under this chapter serves as a sufficient affidavit for the voter to receive a provisional ballot under IC 3-11.7.

*As added by P.L. 164-2006, SEC.81.*

**IC 3-11-17**

## Chapter 17. Voting System Violations

**IC 3-11-17-1****Application**

Sec. 1. This chapter applies to a voting system vendor who sells, leases, installs, implements, or permits the use of a voting system in an election conducted in Indiana.

*As added by P.L. 221-2005, SEC.96.*

**IC 3-11-17-2****Sale, lease, installation, implementation, or permission for use of voting system in violation of election law; civil penalty**

Sec. 2. In addition to any other penalty imposed, a vendor who knowingly, recklessly, or negligently sells, leases, installs, implements, or permits the use of a voting system in an election conducted in Indiana in violation of this title is subject to a civil penalty under this chapter.

*As added by P.L. 221-2005, SEC.96.*

**IC 3-11-17-3****Civil penalty assessed by secretary of state; maximum penalty**

Sec. 3. If the secretary of state determines that a vendor is subject to a civil penalty under section 2 of this chapter, the secretary of state may assess a civil penalty. The civil penalty assessed under this section may not exceed three hundred thousand dollars (\$300,000), plus any investigative costs incurred and documented by the secretary of state.

*As added by P.L. 221-2005, SEC.96.*

**IC 3-11-17-4****Imposition of civil penalty requires administrative adjudication**

Sec. 4. The secretary of state is subject to IC 4-21.5 in imposing a civil penalty under this chapter.

*As added by P.L. 221-2005, SEC.96.*

**IC 3-11-17-5****Deposit of civil penalties**

Sec. 5. All civil penalties collected under this chapter shall be deposited with the treasurer of state in the voting system technical oversight program account established by section 6 of this chapter.

*As added by P.L. 221-2005, SEC.96.*

**IC 3-11-17-6****Voting system technical oversight program account; source and use of money; expenses**

Sec. 6. (a) The voting system technical oversight program account is established with the state general fund to provide money for administering and enforcing IC 3-11-7, IC 3-11-7.5, IC 3-11-15, IC 3-11-16, and this chapter.

(b) The election division shall administer the account. With the approval of the budget agency, funds in the account are available to augment and supplement the funds appropriated to the election division for the purposes described in this section.

(c) The expenses of administering the account shall be paid from the money in the account.

(d) The account consists of the following:

(1) All civil penalties collected under this chapter.

(2) Fees collected under IC 3-11-15-4.

(3) Contributions to the account made in accordance with a settlement agreement executed with a voting system vendor.

(e) Money in the account at the end of a state fiscal year does not revert to the state general fund.  
*As added by P.L. 221-2005, SEC. 96. Amended by P.L. 3-2008, SEC. 3; P.L. 120-2009, SEC. 11.*

**IC 3-12-10-2.1****Members**

Sec. 2.1. (a) Except as provided in this section, the secretary of state and the designee of the state chairman of each of the major political parties of the state shall serve as members of the state recount commission.

(b) Except as provided in this section, the secretary of state shall serve as the chair of the state recount commission.

(c) If an election to the office of secretary of state is the subject of a petition filed under IC 3-12-11, final determination of all petitions filed under IC 3-12-11 relating to that election must be made before January 1 after the election.

(d) The secretary of state may not serve on the commission if the secretary of state is:

(1) a petitioner under IC 3-12-11; or

(2) named as a candidate in a petition under IC 3-12-11;

until the commission makes a final determination under IC 3-12-11 of all related petitions in which the secretary of state is a petitioner or is named.

(e) If the secretary of state may not serve on the commission under subsection (d), the state chairman of the same major political party as the secretary of state shall designate another individual to serve as a member and chair of the commission. The other individual must have voted in the most recent primary election of the political party of the state chairman making the appointment. The individual serves until the commission issues its final determination of all petitions relating to the election that are described in subsection (d). The secretary of state shall then resume as a member and the chairman of the state recount commission.

(f) An individual who serves on the state recount commission as secretary of state ceases to be a member of the commission when the individual ceases to be secretary of state.

*As added by P.L. 8-1995, SEC. 56.*

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**IC 3-14-2-7**

**Withholding information or furnishing false information to poll taker; return of false names or names of deceased persons**

Sec. 7. A person who knowingly:

(1) upon the demand of a poll taker, withholds any information

from the poll taker with regard to the qualifications of a voter or person not entitled to vote;

(2) furnishes to a poll taker any false information with regard to the qualifications of any person for voting; or

(3) returns to the poll taker as voters any false names or the names of any persons who are dead or are not voters;

commits a Class A misdemeanor.

*As added by P.L. 5-1986, SEC. 10.*

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**IC 3-14-2-11**

**Voting in other precincts**

Sec. 11. Except as provided by IC 3-10-10, IC 3-10-11, or IC 3-10-12, a person who knowingly votes or offers to vote in a precinct except the one in which the person is registered and resides commits a Class D felony.

*As added by P.L. 5-1986, SEC. 10. Amended by P.L. 3-1987, SEC. 466; P.L. 10-1988, SEC. 208; P.L. 17-1993, SEC. 17; P.L. 12-1995, SEC. 88.*

**IC 3-14-3-1.1**

**Procuring or submission of false, fictitious, or fraudulent registration application; procuring, casting, or tabulating false, fictitious, or fraudulent ballot**

Sec. 1.1. A person who knowingly does any of the following commits a Class D felony:

(1) Procures or submits voter registration applications known by the person to be materially false, fictitious, or fraudulent.

(2) Procures, casts, or tabulates ballots known by the person to be materially false, fictitious, or fraudulent.

*As added by P.L. 103-2005, SEC. 32.*

**IC 9-24-13-4**

**Change of residence or name; requirement to apply for duplicate license or permit**

Sec. 4. If:

(1) an individual holding a license or permit issued under this article changes the address shown on the license or permit application; or

(2) the name of a licensee or permittee is changed by marriage or otherwise; the licensee or permittee shall make application for a duplicate driver's license or permit under IC 9-24-9 containing the correct information within thirty (30) days of the change.

*As added by P.L. 2-1991, SEC. 12. Amended by P.L. 39-2000, SEC. 12; P.L. 184-2007, SEC. 46.*

**IC 9-24-13-5**

**Violations**

Sec. 5. A person who violates this chapter commits a Class C infraction.  
*As added by P.L. 2-1991, SEC. 12.*



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**IC 35-41-1-16**

**"Included offense" defined**

Sec. 16. "Included offense" means an offense that:

(1) is established by proof of the same material elements or less than all the material elements required to establish the commission of the offense charged;

(2) consists of an attempt to commit the offense charged or an offense otherwise included therein; or

(3) differs from the offense charged only in the respect that a less serious harm or risk of harm to the same person, property, or public interest, or a lesser kind of culpability, is required to establish its commission.

*As added by P.L.311-1983, SEC.17.*

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**IC 35-41-2-2**

**Culpability**

Sec. 2. (a) A person engages in conduct "intentionally" if, when he engages in the conduct, it is his conscious objective to do so.

(b) A person engages in conduct "knowingly" if, when he engages in the conduct, he is aware of a high probability that he is doing so.

(c) A person engages in conduct "recklessly" if he engages in the conduct in plain, conscious, and unjustifiable disregard of harm that might result and the disregard involves a substantial deviation from acceptable standards of conduct.

(d) Unless the statute defining the offense provides otherwise, if a kind of culpability is required for commission of an offense, it is required with respect to every material element of the prohibited conduct. *As added by Acts 1976, P.L. 148, SEC. 1. Amended by Acts 1977, P.L. 340, SEC. 4.*